

REMARKS

Claims 1-15 were previously pending in the application. By the Amendment, Claims 8 and 14 are currently amended, Claim 5 is canceled without prejudice, new Claims 16-21 have been added, and Claims 1-4, 6-7, 9-13 and 15 remain unchanged. Applicants gratefully acknowledge the Examiner's indication that Claims 12 and 13 include allowable subject matter.

The Examiner objected to the drawings for failing to show every feature of the invention. Applicants have submitted additional Fig. 3 illustrating the "motorized kitchen appliance", as set forth in Claims 1-4 and 6-15, the "gear", as set forth in Claim 4, and the "fruit press", as previously set forth in Claims 5 and 15. Claim 5 has been canceled. Now Claim 15 and new Claims 16-21 recite a "fruit press". The features of the invention, including the "motorized kitchen appliance", the "gear", and the "fruit press", were sufficiently described in detail in the original specification to enable one of ordinary skill in the art to make and use the invention. Furthermore, a portion of the motorized kitchen appliance, or fruit press, is also shown in original Fig. 1. No new matter has been added and Applicants submit additional Fig. 3 in accordance with 37 CFR 1.81(d).

A copy of additional Fig. 3 is enclosed in Appendix A and is labeled "New Sheet". In addition, the "BRIEF DESCRIPTION OF THE DRAWINGS" section of the specification has been amended to include Fig. 3. Also, Applicants have added a new paragraph in the specification providing a more detailed description of Fig. 3. No new matter has been added. Applicants respectfully request withdrawal of the objections to the drawings and entry of new Fig. 3 and the accompanying text portions.

Claims 1-11 and 14-15 were rejected under 35 USC §102(b) as being anticipated by Hodzic (US 6,234,706).

Independent Claim 1 recites a motorized kitchen appliance, comprising: a housing part; a drive shaft mounted in said housing part; a rotating element driven by said drive shaft; and a circlip having a protruding wire, for securing said drive shaft against movement of said drive shaft in longitudinal direction of said drive shaft relative to said housing part.

Hodzic discloses a locking device for a rectilinearly displaceable component (11) including a catch spring (2). The catch spring (2) engages the component (11) and locks the component into position with respect to the wall (13).

Hodzic does not disclose, among other things, “a motorized kitchen appliance”, as recited in the preamble of Claim 1. Hodzic merely discloses a locking device and provides no disclosure relating to a motorized kitchen appliance.

Hodzic does not disclose, among other things, “a drive shaft mounted in said housing part”, as recited in Claim 1. Hodzic discloses displacement component (11), but does not teach or even suggest that the displacement component (11) is a drive shaft. Hodzic states that the component (11) is designed in the example shown as a “cylindrical pin”. (See column 2, lines 52-54) The cylindrical pin of Hodzic is not the equivalent of a drive shaft.

Hodzic does not disclose, among other things, “a rotating element driven by said drive shaft”, as recited in Claim 1. Hodzic does not disclose any rotating elements and the Examiner has not identified any features of Hodzic as being the equivalent of a rotating element. Rather, Hodzic is designed as a locking device and is specifically intended to prevent movement of the parts with respect to one another once the parts are connected. Hodzic provides no disclosure of any rotating elements, let alone a rotating element driven by a drive shaft.

For these and other reasons, Hodzic does not disclose the subject matter defined by independent Claim 1. Therefore, Claim 1 is allowable. Claims 2-4 and 16 depend from Claim 1 and are allowable for the same reasons and also because they recite additional patentable subject matter.

Independent Claim 6 recites a motorized kitchen appliance, comprising: a housing; a drive shaft mounted for rotation with respect to the housing, the drive shaft being movable in an axial direction with respect to the housing; and a circlip removably connected to the drive shaft and limiting axial movement of the drive shaft in a first axial direction.

As described above in relation to Claim 1, Hodzic does not disclose, among other things, “a motorized kitchen appliance”, as recited in the preamble of Claim 6.

Hodzic does not disclose, among other things, “a drive shaft mounted for rotation with respect to the housing”, as recited in Claim 6. As described above, Hadzic discloses a displaceable component (11), or cylindrical pin. This pin is not a drive shaft and Hodzic does not disclose the pin mounted for rotation with respect to the housing.

Hodzic does not disclose, among other things, “the drive shaft being movable in an axial direction with respect to the housing”, as recited in Claim 6. As described above, the component (11) or cylindrical pin of Hodzic is not the equivalent of a drive shaft. Furthermore, the component (11) is not movable in an axial direction with respect to the housing. In Hodzic, the locking device is specifically designed to lock the component (11) into the fixed position with respect to the wall (13). The catch spring (2) engages the component (11) does not permit axial movement of the component (11) in either axial direction. Claim 6 recites the circlip “limiting axial movement of the drive shaft in a first axial direction.” However, as recited in Claim 6, the drive shaft is movable in an axial direction. In the present invention, the circlip limits axial movement in a first direction, but permits axial movement in a second axial direction. The catch spring (2) of Hodzic does not permit any axial movement of the component (11). Therefore, Hodzic does not disclose, “the drive shaft being movable in an axial direction with respect to the housing.”

For these and other reasons, Hodzic does not disclose the subject matter defined by independent Claim 6. Therefore, Claim 6 is allowable. Claims 7-15 depend from Claim 6 and are allowable for the same reasons and also because they recite additional patentable subject matter, as described below.

Dependent Claim 9 recites the kitchen appliance according to Claim 6, further comprising a biasing member biasing the drive shaft in the first axial direction. Hodzic does not disclose, among other things, “a biasing member biasing the drive shaft in the first axial direction”, as recited in Claim 9. As described above, the component (11) of Hodzic is not a drive shaft and is not axially movable. Even if the component (11) was an axially movable drive shaft, Hodzic does not disclose a biasing member biasing the component (11) in the first axial direction. For these and other reasons, Hodzic does not disclose the subject matter defined by dependent Claim 9 and Claim 9 is allowable.

Dependent Claim 11 recites the kitchen appliance according to claim 6, further comprising a key supported by the housing and limiting axial movement of the drive shaft in a second axial direction being opposite the first axial direction. Hodzic does not disclose, among other things, “a key supported by the housing and limiting axial movement of the drive shaft in a second axial direction being opposite the first axial direction”, as recited in Claim 11. As described above, the component (11) of Hodzic is not a drive shaft and is not axially movable. Even if the component (11) was an axially movable drive shaft, Hodzic does not disclose any member restricting axial movement of the component (11) shaft in a second axial direction being opposite the first axial direction. For these and other reasons, Hodzic does not disclose the subject matter defined by dependent Claim 11 and Claim 11 is allowable.

Dependent Claim 14 recites the kitchen appliance according to claim 6, wherein the circlip includes a formed wire having an overlapping circular portion and two legs extending outwardly from the circular portion, the diameter of the circular portion being increased when the legs are moved towards one another.

Hodzic does not disclose, among other things, the circlip including “a formed wire having an overlapping circular portion and two legs extending outwardly from the circular portion, the diameter of the circular portion being increased when the legs are moved towards one another”, as recited in Claim 14. In Hodzic, the catch spring (2) includes partial arcuate portions (4, 6, 10), but does not disclose any overlapping portion. Furthermore, the diameter of the partial arcuate portions of Hodzic do not increase when the legs are moved toward one another. As shown in Fig. 2 of Hodzic, moving the legs (5) toward one another will decrease the diameter of the arcuate portions, not increase the diameter. For these and other reasons, Hodzic does not disclose the subject matter defined by dependent Claim 14 and Claim 14 is allowable.

New independent Claim 17 recites a motorized kitchen fruit press, comprising: a housing; an electromotor disposed within the housing; a drive shaft mounted for rotation with respect to the housing and being rotationally driven by the electromotor, the drive shaft being movable in an axial direction with respect to the housing; a rotating element protruding from the housing and connected to the drive shaft for receiving a piece of fruit containing juice; and a circlip removably connected to the drive shaft and limiting axial

movement of the drive shaft in a first axial direction. The prior art, particularly Hodzic, does not disclose a kitchen fruit press as recited in Claim 17. More specifically, the prior art does not disclose, among other things, an electromotor disposed within the housing, a drive shaft mounted for rotation with respect to the housing and being rotationally driven by the electromotor, the drive shaft being movable in an axial direction with respect to the housing, and a rotating element protruding from the housing and connected to the drive shaft for receiving a piece of fruit containing juice.

Therefore, Applicants respectfully request allowance of independent Claim 17. Claims 18-21 depend from Claim 17 and should be allowed for the same reasons and also because they recite additional patentable subject matter.



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CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 1-4 and 6-21 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made. Please note that Applicants have changed representation and are now represented by new counsel. The formal Revocation of Power of Attorney / New Power of Attorney and Change of Correspondence Address documents will be forthcoming.

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Name of Attorney Signing under 37 CFR 1.34

Respectfully submitted,

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APPENDIX A